IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. REV. No.162 of 2008
SMT. BASANTI DEVI….Petitioner
Versus
1. STATE OF BIHAR
2. NAVIN PRAKASH @ BAIJU SAH
3. BIHARI SAH
4. RAJ KUMARI SAH
5. CHANDRA SHEKHAR SAH
….Opposite parties

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2. 25.11.2008. This Cr. Revision has been filed against the order dated 17.12.2007 passed by SDJM, Samastipur in C. R. No. 1769 of 2005 thereby the cognizance has been taken against four accused persons under Section 498A of IPC.

Heard learned counsel for the petitioner.

The grievance of learned counsel for the petitioner is that though the cognizance has been taken of the offence but no cognizance has been taken under section 313 of IPC. Similarly, cognizance has also not been taken against other accused namely Chandra Shekhar Sah who is father-in-law of the victim lady.

Considered the submission of learned counsel for the petitioner and perused the impugned order and also Section 398 of Cr.P.C.

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Since the cognizance has already been taken of the offence, I am of the opinion that at this stage no specific direction can be given for further enquiry or adding any section. Accordingly, this Cr. Revision is dismissed. However, the petitioner is at liberty to raise the matter at the time of framing of the charge or under Section 319 Cr.P.C. at the appropriate stage.

kanchan **(Ghanshyam Prasad, J.)**

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